

Minutes
(draft)
Mineral Extraction Advisory Committee
March 9, 2005
Waukesha County Administration Center, Room 355/359

Those in attendance included the following:

Committee members: Sharon Leair
Mike Schober
Jim Dawson
Tim Kraut
Ed Troxell
Pauline Jaske

County Staff: Jim Rose
Mark Jenks

Guests: Brian Endres
Sean Wolf
Tom Halquist

Call to Order

The meeting was called to order at 7:35 AM by Chairperson Sharon Leair.

Approval of MEAC meeting minutes – 2/9/05

The group reviewed the minutes from the previous MEAC meeting on February 9, 2005. Sharon asked if there were any comments or corrections to the minutes. Hearing no comments, there was a motion by Ed Troxell/Mike Schober to approve the minutes as written. Motion carried by a unanimous voice vote.

Discussion of Buffering Recommendations

Mark Jenks began the discussion of this topic by distributing a summary of the information compiled from other states that had been sent to all committee members prior to the meeting. The summary was compiled from information that had been provided by Tim Kraut and represented responses received to a request for information from the National Aggregate Producers Group. States responding to the request for information included: California, Indiana, Georgia, Kansas, North Carolina and Virginia. Unfortunately there was no consistent buffering recommendation provided. Setbacks are usually determined by the local zoning authority and therefore vary considerably.

There was also little information provided on how other local governments are dealing with the issue of incompatible land uses. The California Surface Mining and Reclamation Act (SMARA) included language that required the county (or other lead agency) to not permit adjacent incompatible land uses if a mineral deposit was deemed to be of regional or statewide importance. Loudoun County, Virginia has created a Quarry Notification Overlay District that requires written notification to prospective purchasers of property within 3000 feet of any property approved for quarrying operations.

Tim Kraut indicated that the Waukesha County Aggregate Producers Group had met and discussed buffering recommendations as they had been requested to do at the previous MEAC meeting. The result of their discussions were that they would prefer some type of notification overlay district in addition to setbacks on both the property on which mining operations occurred and on adjacent properties. He also presented information on a request to the Town of Genesee Plan Commission and Town Board to develop a notification policy for plats to be approved within one and a half miles from a mineral extraction operation.

At this point in the meeting, Tom Halquist from Halquist Stone asked to address the committee. He indicated that recently the Village of Lannon had approved a residential subdivision immediately adjacent to a quarry Halquist operates in the village. While conceptual plans had been agreed to several years ago, the density of the adjacent development will probably result in future complaint issues. Deed restrictions will be placed on the 450 properties in the new development but undoubtedly some conflicts will occur. He urged the committee to suggest remedies that could alleviate future land use conflict issues.

Discussion continued among the committee members about what a recommendation to the Smart Growth Subcommittee should contain and how specific it should be. Everyone agreed that one goal should be to eliminate incompatible adjacent land uses. Mike Schober indicated that one way to avoid future conflicts would be for the nonmetallic mine operators to try to buy the properties around their sites (where possible). He also liked the idea of notification and suggested, based on other examples he has seen, setbacks be a minimum of 200-250 feet on the mining operation and matched by a similar buffer on adjacent properties.

Another topic of discussion focused on the issue of wells and the impact nonmetallic mining operations can have on water supplies for adjacent properties. Situations vary depending on geology, depth to water table, age and construction of the wells in question and several other variables. Consensus seemed to be that a recommendation should be made that wells on adjacent properties should be constructed to be below the anticipated final depth of the mining operation. Questions remained on how far from the mining operations this would need to extend.

At this point Sharon Leair summarized the discussion and proposed that a set of draft recommendations be compiled and sent to committee members for further review and

comment. When finalized these recommendations will be forwarded to the Smart Growth Subcommittee for consideration at one of their future meetings. MEAC members will be made known of the Subcommittee meeting location and date and any member who wishes to attend will certainly be welcome.

From the discussions the draft recommendations were:

1. Creation of a Mineral Extraction Notification Overlay District that extends 1.5 miles from the property lines of nonmetallic mining operations. Notification would be required to appear on new plats and land transfers.
2. Require a minimum 200-250 foot setback on nonmetallic mining operations and adjoining properties. Landscape berms or buffers and vegetative screening could be provided for in this zone.
3. New wells drilled on property immediately adjacent to nonmetallic mining operations should be drilled deep enough to be below the planned final mine depth.
4. Zone areas around nonmetallic mining operations to encourage compatible land uses. Compatible land uses would include, but are certainly not limited to: manufacturing, heavy industrial, light industrial, public recreation, open space and public facilities such as vehicle shops and garages.

Updates from the Waukesha County Aggregate Producers Group and Other MEAC Members

Tim Kraut indicated that the planning for the 2005 Trucking Safety Seminar is on track and they are anticipating another successful event. On March 29 approximately 500 drivers will participate in discussions on topics ranging from distractive driving to engine braking.

Set Next Meeting Date

Next meeting for MEAC was set for June 8, 2005 at 7:30 AM. (Note: This was later changed to May 11, 2005).

Adjourn

Motion by Pauline Jaske/Mike Schober to adjourn at 9:10 AM. Motion carried by voice vote.